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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/009,807	12/13/2001	Masahiro Takeda	0033-0780P	1536

2292 7590 08/10/2005

BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER

BLAIR, DOUGLAS B

ART UNIT PAPER NUMBER

2142

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/009,807

Applicant(s)

TAKEDA, MASAHIRO

Examiner

Douglas B. Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Amendment***

1. Claims 1-10 are currently pending in this application.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent

Number 6,112,240 to Pogue et al..

4. As to claim 1, Pogue teaches an information collecting system on a network using internet technique to which a server of an information provider, a client browsing the server of said information provider and a server of an information collector are connected, comprising: means for inserting an information collecting instruction to information of the server of said information provided by itself, said information collecting instruction script being configured to work in a browser program of said client (col. 4, lines 15-44, the tracker tag, inserted into the HTML downloaded to the client browser, sends a message a message from the browser to the tracking computer.), wherein said information connecting server includes means for collecting, when said client accesses to the server of said information provider and views information, viewing information of said client in accordance with said inserted instruction, and means for

storing said collected data (col. 5, lines 6-67), wherein said means for collecting includes an information collecting program for collecting information from said client and a server program for activating said information collecting program (col. 4, lines 45-60, the administrator may access the client information database at any time); and said browser program, in accordance with said inserted instruction script, issues instructions to said server program of said server of said information collector so as to run said information collecting program at said server of said information collector, when said client accesses to the server of said information provider and views information (col. 4, lines 15-44, the tracker tag creates a tracking message which initiates the server's tracking mechanism.)

5. As to claim 2, Pogue teaches the information collecting system on a network using internet technique according to claim 1, further comprising means for statistically processing data collected by said viewing information collecting means and additional information, wherein said storing means stores said statistically processed data (col. 5, lines 6-67).

6. As to claim 3, Pogue teaches the information collecting system on a network using internet technique according to claim 1, wherein the server of said information collector has a gateway program collecting prescribed information; and when said client accesses to the sever of said information provider and views information, additional information related to said client may be entered, and the server of said information collector collects and stores said additional information entered by said client, using said gateway program (col. 5, lines 6-67).

7. As to claim 4, Pogue teaches the information collecting system on a network using internet technique according to claim 3, wherein said collected and stored additional information entered by said client is stored in the server of said information provider (col. 5, lines 6-67).

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8. As to claim 5, Pogue teaches a method of collecting information on a network using internet technique to which a server of an information provider, a client viewing the server of said information provider and a server of an information collector are connected, comprising the steps of: inserting a prescribed information collecting instruction to information provided by said information provider said information collecting instruction script being configured to work in a browser program of said client (col. 4, lines 15-44, the tracker tag, inserted into the HTML downloaded to the client browser, sends a message a message from the browser to the tracking computer.); when said client accesses to the server of said information provider and views information, collecting, at the server of said information collector, viewing information of said client in accordance with said inserted instruction; and storing said collected data in the server of said information collector (col. 5, lines 6-67), wherein said step of collecting includes the step of making said browser program, in accordance with said inserted instruction script, issues instructions to said server program of said server of said information collector so as to run said information collecting program at said server of said information collector, when said client accesses to the server of said information provider and views information (col. 4, lines 15-44, the tracker tag creates a tracking message which initiates the server's tracking mechanism.).

9. As to claim 6, Pogue teaches a recording medium readable by a server of an information provider on a network using internet technique to which the server of said information provider, a client viewing the server of said information provider and an information collecting server are connected, recording a program for performing a method of collecting information on the network using internet technique, said method comprising the steps of: causing the server of said information provider to transmit, among information provided by said information provider,

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wherein said information collecting instruction script being configured to work in a browser program of said client computer (col. 4, lines 15-44, the tracker tag, inserted into the HTML downloaded to the client browser, sends a message a message from the browser to the tracking computer.), and making said browser program, in accordance with said inserted instruction script, issues instructions to said server program of said server of said information collector so as to run said information collecting program at said server of said information collector, when said client accesses to the server of said information provider and views information (col. 4, lines 15-44, the tracker tag creates a tracking message which initiates the server's tracking mechanism.).

10. As to claim 7, Pogue teaches the recording medium recording a method of collecting information on a network using internet technique according to claim 6, wherein said recording medium is readable by the server of said information collector, and causes, when information that said client has accessed to said information providing server and viewed information is transmitted to said information collecting server, said transmitted viewing information of the server of said information provider to be recorded on the server of said information collector (col. 5, lines 6-67).

11. As to claim 8, Pogue teaches an information providing server accessible from a client computer through a network, additionally connected to an information connecting server through said network, and comprising means for inserting an information collecting instruction to information provided by itself, said information collecting instruction script being configured to work in a browser program of said client computer (col. 4, lines 15-44, the tracker tag, inserted into the HTML downloaded to the client browser, sends a message a message from the browser to the tracking computer.); wherein said information collecting instruction script makes said

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browser program, in accordance with said inserted instruction script, issues instructions to said server program of said server of said information collector so as to run said information collecting program at said server of said information collector, when said client accesses to the server of said information provider and views information (col. 4, lines 15-44, the tracker tag creates a tracking message which initiates the server's tracking mechanism.).

12. As to claim 9, Pogue teaches an information collecting server connected to a client computer and to an information providing server through a network, wherein a prescribed information collecting instruction is inserted in information provided by said information providing server (col. 4, lines 15-44); said information collecting server comprising means for storing, when said client accesses to said information providing server and views information, viewing information of said client transmitted by said information collecting instruction (col. 5, lines 6-67).

13. As to claim 10, Pogue teaches the information collecting server according to claim 9, further comprising means for statistically processing said viewing information, wherein said storing means stores said statistically processed data (col. 5, lines 6-67).

### ***Response to Arguments***

14. Applicant's arguments filed 5/23/2005 have been fully considered but they are not persuasive. The applicant argues the Pogue does not teach the claim limitations added by the amendment; however the rejection has been revised to show how Pogue does teach these newly added limitations.

***Conclusion***

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free):

Douglas Blair

Handwritten signature of Douglas Blair, consisting of the letters 'DBB' in a stylized, cursive font.Handwritten signature of Kamini Shah, written in a cursive script.

KAMINI SHAH  
PRIMARY EXAMINER